

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Michael Douglass
Carol Goehring-Douglass
Debtor(s)

Bankruptcy Case No.: 14-23908-CMB
Issued Per May 10, 2018 Proceeding
Chapter: 13
Docket No.: 138 – 108, 111
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated March 23, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☒ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: JPMorgan Chase Bank at Claim No. 10 with payment changes implemented .
- ☒ H. Additional Terms: Prior distributions to GM Financial and JPMorgan Chase Auto were proper.
The fee application shall not exceed \$6,820.75.
The plan base is \$83,279.99.
Debtor shall resume long term debts beginning June, 2018.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.


B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: May 21, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

Imaged Certificate of Notice Page 4 of 5

United States Bankruptcy Court
Western District of PennsylvaniaIn re:
Michael Douglass
Carol Goehring-Douglass
DebtorsCase No. 14-23908-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
Form ID: 149Page 1 of 2
Total Noticed: 32

Date Rcvd: May 21, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 23, 2018.

db +Michael Douglass, 43 A Street, Beaver, PA 15009-1643
jdb +Carol Goehring-Douglass, 550 Shenango Road, Beaver Falls, PA 15010-1659
cr JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, Chase Records Ctr Attn Correspond Mail,
Mail Code LA4-5555 700 Kansas Lane, Monroe, LA 71203
13929485 ++ALLIED ADJUSTORS INC, PO BOX 1006, ALIQUIPPA PA 15001-0806
(address filed with court: Allied Adjustors, 845 23rd St, Aliquippa, PA 15001)
13944431 ++AMERICREDIT FINANCIAL SERVICES DBA GM FINANCIAL, PO BOX 183853, ARLINGTON TX 76096-3853
(address filed with court: AmeriCredit Financial Services, Inc., PO Box 183853,
Arlington, TX 76096)
13956721 +Allied Adjustors Inc., PO Box 1006, Aliquippa, PA 15001-0806
13939554 +Americredit Financial Services, Inc. dba GM Financ, P O Box 183853,
Arlington, TX 76096-3853
13944432 +Andrew F. Gornall, Esquire, KML Law Group, P.C., 701 Market Street, Suite 5000,
Philadelphia, PA 19106-1541
13929486 +Beaver Valley FCU, 71 Bridge St., Bridgewater, PA 15009-2901
13944433 +Beaver Valley Fcu, 601 37th St, Beaver Falls, PA 15010-3441
13929487 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
(address filed with court: Cap One, Po Box 85520, Richmond, VA 23285)
13944435 +Cap One, 26525 N Riverwoods Blvd, Mettawa, IL 60045-3440
13929488 +Chase, Po Box 24696, Columbus, OH 43224-0696
13929493 +First Premier Bank, 601 S Minnesota Ave, Sioux Falls, SD 57104-4868
13929494 +Gm Financial, Po Box 181145, Arlington, TX 76096-1145
13944442 +HSBC, Post Office Box 17906, San Diego, CA 92177-7906
13929495 +Hub Finance, 203 Brighton Ave, Rochester, PA 15074-2161
14038017 +JPMorgan Chase Bank, N.A., 3415 Vision Drive, OH4-7142, Columbus, OH 43219-6009
13944444 MRS Physical Therapy, 500 Market Street #103, Beaver, PA 15009-2998
13944447 Penn Billing Services, PO Box 988, Harrisburg, PA 17108-0988

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

13944430 +E-mail/Text: ally@ebn.phinsolutions.com May 22 2018 02:06:16 Ally Financial,
200 Renaissance Ctr, Detroit, MI 48243-1300
13936373 E-mail/Text: ally@ebn.phinsolutions.com May 22 2018 02:06:16
Ally Financial serviced by Ally Servicing LLC, PO Box 130424, Roseville, MN 55113-0004
13929487 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com May 22 2018 11:18:48 Cap One,
Po Box 85520, Richmond, VA 23285
13944435 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com May 22 2018 10:19:24 Cap One,
26525 N Riverwoods Blvd, Mettawa, IL 60045-3440
13929489 +E-mail/Text: bk.notifications@jpmchase.com May 22 2018 02:06:28 Chase, Po Box 901076,
Ft Worth, TX 76101-2076
13929491 +E-mail/Text: abovay@creditmanagementcompany.com May 22 2018 02:07:10 Credit Management Co,
2121 Noblestown Rd, Pittsburgh, PA 15205-3956
13929492 +E-mail/PDF: creditonebkn notifications@resurgent.com May 22 2018 02:15:41 Credit One Bank Na,
Po Box 98875, Las Vegas, NV 89193-8875
13954866 E-mail/Text: bk.notifications@jpmchase.com May 22 2018 02:06:28 JPMorgan Chase Bank, N.A.,
National Bankruptcy Department, P.O. Box 29505 AZ1-1191, Phoenix, AZ 85038-9505
13993393 E-mail/PDF: resurgentbkn notifications@resurgent.com May 22 2018 02:15:30
LVNV Funding, LLC its successors and assigns as, assignee of FNBK, LLC,
Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
13944446 +E-mail/Text: egssupportservices@alorica.com May 22 2018 02:07:03 NCO Financial,
507 Prudential Road, Horsham, PA 19044-2308
13929496 +E-mail/Text: Bankruptcies@nragroup.com May 22 2018 02:07:42 National Recovery Agen,
2491 Paxton St, Harrisburg, PA 17111-1036
13998823 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 22 2018 02:15:27
Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
13929498 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 22 2018 02:24:57
Portfolio Recovery Ass, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952
13929499 +E-mail/PDF: pa_dc_claims@navient.com May 22 2018 02:15:27 Sallie Mae, Po Box 9655,
Wilkes Barre, PA 18773-9655

TOTAL: 14

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

13929490 Credit Card
13929497 Personal Loan
cr* +Americredit Financial Services, Inc. dba GM Financ, PO Box 183853, Arlington, TX 76096-3853
13944429* ++ALLIED ADJUSTORS INC, PO BOX 1006, ALIQUIPPA PA 15001-0806
(address filed with court: Allied Adjustors, 845 23rd St, Aliquippa, PA 15001)
13944434* ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
(address filed with court: Cap One, Po Box 85520, Richmond, VA 23285)
13944437* +Chase, Po Box 901076, Ft Worth, TX 76101-2076
13944436* +Chase, Po Box 24696, Columbus, OH 43224-0696
13944438* +Credit Management Co, 2121 Noblestown Rd, Pittsburgh, PA 15205-3956
13944439* +Credit One Bank Na, Po Box 98875, Las Vegas, NV 89193-8875
13944440* +First Premier Bank, 601 S Minnesota Ave, Sioux Falls, SD 57104-4868

District/off: 0315-2

User: jhel
Form ID: 149

Page 2 of 2
Total Noticed: 32

Date Rcvd: May 21, 2018

***** BYPASSED RECIPIENTS (continued) *****

13944441* +Gm Financial, Po Box 181145, Arlington, TX 76096-1145
13944443* +Hub Finance, 203 Brighton Ave, Rochester, PA 15074-2161
13944445* +National Recovery Agen, 2491 Paxton St, Harrisburg, PA 17111-1036
13944448* +Portfolio Recovery Ass, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952
13944449* +Sallie Mae, Po Box 9655, Wilkes Barre, PA 18773-9655

TOTALS: 2, * 13, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 23, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 21, 2018 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
andygornall@latouflawfirm.com
James Warmbrodt on behalf of Creditor JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
bkgroup@kmlawgroup.com
Office of the United States Trustee ustpreregion03.pi.ecf@usdoj.gov
Paul W. McElrath, Jr. on behalf of Joint Debtor Carol Goehring-Douglass ecf@mcelrathlaw.com,
donotemail.ecfbackuponly@gmail.com
Paul W. McElrath, Jr. on behalf of Debtor Michael Douglass ecf@mcelrathlaw.com,
donotemail.ecfbackuponly@gmail.com
Ronda J. Winnecour cmecf@chapter13trusteewdpa.com

TOTAL: 6